

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, December 15, 2011

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, December 15, 2011 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 8:00 p.m..

The following Members were present:

Linda L. Moore
Leonard J. Millner
Marc Platizky
William Lawler

Absent: Marc Lippman
Steven Kurs
Michael Shifman

Also present:

Edwin Schmierer, Esq., of Mason Griffin & Pierson
James Farry, of Hatch Motr MacDonald
Ronald Christ, Finance Officer
Richard Brand, Executive Director
Clark Wolverton, Wastewater Superintendent
Skip Lovejoy, Water Superintendent
Dolores Borosko, Board Secretary

Chairperson Moore requested that the Public Notice be read. The Board Secretary read the statement announcing that the notice and agenda of this meeting were mailed to the Windsor Hights Herald, Trenton Times and Trentonian on December 9, 2011. An agenda was posted on the official bulletin board of the Authority and delivered to the Township Clerk for posting on the bulletin board at the East Windsor Township Municipal complex on December 9, 2011. Chairperson Moore then asked for a roll call after which she asked if any Member had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore stated that she did not see a resolution for the authorization to advertise the RFP for Professional Services on the Solar Project. Chairperson Moore added that any item on the agenda that requires Board action must have an accompanying resolution included in the meeting material. A motion to authorize the advertisement of the RFP for Solar Engineering Services was made by Mr. Millner, seconded by Mr. Platizky. During a discussion Mr. Brand informed the members that these engineering services were to oversee construction and design for the final stages of the solar project which includes the March filing for the NJEIT loan program. Mr. Millner asked if the Authority could give the project to our consulting engineers. Mr. Brand responded that it would be above the bid limit and more within the Fair and Open process by requesting an RFP. Mr. Lawler requested an update at the next meeting of the deadlines for filing for NJEIT loan program. Mr. Platizky asked with all the changes taking place in the solar field was it still beneficial for the Authority to proceed. Mr. Brand responded agreeing that the market was fluctuating but added that at this time it still remains financially beneficial. After some continued discussion Mr. Lawler suggested they table discussion for future meetings closer to beginning of project when market values at that time will determine viability of the project. Chairperson Moore agreed and a roll call vote was taken to proceed with advertising of RFP for engineering services. The vote was unanimous.

A motion was made by Mr. Platizky, seconded by Mr. Lawler to authorize an advertisement of the Bid for Financial Software. Mr. Lawler requested additional information on the financial software and Mr. Brand informed him that currently the Authority is using CSI - Harris's old DOS program with some limited capabilities. Currently the Authority would like a more updated financial program which allows internet access to the customers. Customers

would be able to view their account, make payments online and complete work orders. Mr. Brand explained that the software committee had several demonstrations from various companies and now would like to request RFP's to purchase the software. There being no additional comments from Board Members Chairperson Moore requested a motion to authorize the advertisement of the RFP for Financial Software. A motion was made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

There was a discussion of the Ferreira Crisdel truck observed taking unmetered water from an MUA fire hydrant on Arborwood Court for a construction project on the NJ Turnpike. Mr. Brand referenced a letter sent to the company on December 2, 2011 which included photos taken of the truck attached to the fire hydrant taking water and a bill for an estimated \$2,232.00 for water use. Mr. Brand stated that Ferreira Crisdel paid the bill immediately.

Mr. Schmierer addressed the issue of back billing for water used in recently discovered unmetered buildings. Mr. Schmierer stated that usually you cannot back charge except under certain circumstances such as fraud or theft of services. Mr. Schmierer said that if the Board wanted to back charge there would have to be more investigation to determine theft of services to see if back charging would be feasible. After some continued discussion the Board determined it would be very costly and difficult to determine culpability and therefore not something that the Board should pursue at this time. Mr. Brand told the Board that an estimated bill for one quarter had been sent to the management company of the complex and meters had been installed in the buildings.

Mr. Brand informed the Members that Rue Insurance had notified the Authority that the wastewater treatment plant on Millstone Road did not fall into the flood zone and therefore they would be paying for some of the damages incurred with the Hurricane. Mr. Brand continued by stating that now he would have to talk to FEMA because now they would only pay 75% of the deductible for plant damages. FEMA will still be reimbursing the Authority for damages on Wiltshire Drive to the Well 5 area and the Administration building.

Mr. Brand stated that he had had a meeting with Johnson Controls today and that the company was interested in performing an energy audit at no cost for the preliminary study. If the Authority decided to go further with a performance audit there would be a fee to continue and the Authority would have to go out with an RFQ (Request for Qualifications). Johnson Control would perform a water audit, electrical audit, check pumps and motors and look for ways the Authority could save money. If they move forward to the performance audit they would tell us exactly what we could expect to save and they do guarantee the savings. Mr. Brand continued by saying he thought this was a good thing for the Authority because there is no cost and would possible give us some areas where we could save money. Mr. Millner asked for the engineer's opinion and Mr. Farry stated that since there was no cost to the Authority he felt it was worth looking into. Chairperson Moore stated that she was not pleased with just receiving the contract tonight and suggested that this be tabled to the next meeting. The Board Members all agreed to table the item and requested that the attorney review the contract making sure the initial audits were at no cost to the Authority.

Chairperson Moore requested that Mr. Brand email each of the Members giving them three or four dates on a Saturday or Sunday afternoon to tour the wastewater plant and well #7.

Mr. Brand informed the Members that the MUA website committee had two website committee meetings with Shoreline Media. Chairperson Moore added that the committee had met prior to the meetings with Shoreline Media to discuss various options available on other Authorities website's and determine what the committee would like to see on the EWMUA site. Mr. Millner questioned why we had not gone out to bid for website development and Mr. Brand stated Shoreline is charging the Authority \$3,500.00 to prepare and design the site. The bid threshold is \$17,500.00.

Mr. Platizky made a motion to approve Operating bills in the amount of \$258,993.54. NJEIT Clean Water Loan Construction Fund Requisition #33 - \$ 43,749.49; NJEIT Drinking Water Loan Construction Fund Requisition #30 - \$23,541.32 and the ARRA Millstone Road Water Pollution Control Misc. Improvement Requisition #22 - \$260.88, seconded by Mr. Millner and approved by the following vote: AYES: Mr. Miller, Mr. Platizky, Chairperson Moore.

NOES: None. ABSTAIN: Mr. Lawler.

The Operating Report was approved on a motion made by Mr. Platizky, seconded by Mr. Lawler. Mr. Millner noticed the jump in suspended solids and Mr. Wolverton explained that it was caused by heavy rains but that we remain within our suspended solid limit. Mr. Wolverton stated that he would like to inspect to identify lines that might have cracks and allow infiltration so that they could be repaired. Mr. Millner asked Mr. Brand if we should investigate this problem and Mr. Brand stated that we would have to televise a lot of areas to see where the infiltration is coming in and the pipes will have to be lined. Mr. Wolverton added that five years ago Hatch Mott MacDonald was going to conduct a study and make recommendations but the Authority never pursued the project. Mr. Wolverton stated that the trunk lines run through some very wet areas and Mr. Brand stated that the Authority could do visual inspection during heavy rain. Mr. Wolverton stated that we couldn't do an internal inspection because we don't have the equipment or the expertise. Chairperson Moore requested information for the following meeting in the form of proposals or inspections that had been completed. There being no additional questions or comments on the Operating Report Chairperson Moore requested approval of the report. The Operating Report was unanimously accepted.

Chairperson Moore requested a motion on the Development Report and Mr. Lawler made a motion to accept, seconded by Mr. Millner and unanimously approved.

A motion was made by Mr. Millner to approve the Finance Officer's report, seconded by Mr. Lawler and unanimously carried. When asked by Mr. Millner, Mr. Ghrist noted that during wet periods less water is sold thus adding to the worsening of revenues. Chairperson Moore requested information on revenues and rates after the first of the year.

The Attorney's Report was approved on a motion made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

The Engineer's Report was approved on a motion made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

There being no further items for discussion the regular meeting was adjourned and the Members went into a closed session.

Respectfully,



Marc Platizky, Secretary

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Leonard Millner
Marc Platizky
William Lawler

Absent: Marc Lippman
Steven Kurs
Michael Shifman

Also present:

Richard Brand, Executive Director
Edwin Schmierer, Esq., of Mason Griffin & Pierson

Chairperson Moore announced the purpose of the closed session was to discuss Authority relations. There was a brief discussion of the issues with suggestions for corrective action and the meeting was adjourned.

Respectfully submitted,



Marc Platizky, Secretary